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NRR-2005-A-0020

**ALLEGATION REVIEW BOARD BRIEFING
AND MEETING SUMMARY**

FACILITY:	Ohio State University
TAC NUMBER:	MC8338
RECEIVED:	September 16, 2005
150-DAY DATE:	February 13, 2006

TYPE OF ARB:	Followup ARB Meeting
PURPOSE OF ARB:	To discuss allegation resolution
DATE OF ARB:	October 13, 2005

CONCERN:

Individuals obtained a tour of the Ohio State University research reactor without prior approval, and without having background checks performed.

I. BACKGROUND:

An investigative ABC News team provided information to NRC's Office of Public Affairs regarding issues at several research reactor sites that ABC believed to reflect violations of security measures. The ABC staff identified specific 13 colleges where interns attempted to gain access to the university research reactor facilities. The individuals videotaped portions of their attempts (the NRC staff has asked ABC for any tape they have on these issues).

Staff viewed part of the ABC videotapes, and identified 13 allegations, one for each RTR. The generic issue is addressed in allegation NRR-2005-A-0019.

At Ohio State University, ABC provided information that a bag or bags had been allowed into the protected area without being properly searched. This may be contrary to escorted access control procedures or commitments. Staff review of ABC's edited tape did not reveal any evidence of a violation at Ohio State University.

Allegation NRR-2005-A-0019, initiated various actions, as guided by Senior Management, and the Commission. These actions include: 1) review of the security plans at Ohio State University; 2) plans to send an RAIs to all RTR facilities with reactor fuel, including Ohio State

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University. These RAIs will clarify the CALs, but do not impose any new requirements; and 3) plans to send a Response Letter to ABC. This letter will formally request more information from the broadcast company so that staff may followup on concerns for the 13 RTRs, including Ohio State University.

II. REGULATORY REQUIREMENT(S):

NRC licensed research reactors are required to establish, maintain and follow an NRC-approved security plan and procedures for the protection of nuclear materials from threats and theft. Those measures include the ability to detect unauthorized access to the facility and delay the intruders until the designated response force is able to respond. Security requirements are based on a graded approach with increasing requirements for material that is more attractive for theft or diversion and for facilities that have a greater risk of radiological releases due to sabotage.

10 CFR 73.67, *Licensee fixed site and in-transit requirements for the physical protection of special nuclear material of moderate and low strategic significance*, states, in part, "...6) Limit access to the controlled access areas to authorized or escorted individuals who require such access in order to perform their duties..."

Licensee have detailed plans and procedures specifying how to meet these requirements, including specific guidance as to the criteria for searching packages and for allowing escorted access.

III. SAFETY SIGNIFICANCE AND BASIS: Low

Allowing unauthorized access to the facility will allow an increased possibility of sabotage to the reactor or theft of special nuclear material. However, there is no evidence that unauthorized access was granted at Ohio State University. The generic issue is a significant safety issue, and is addressed in NRR-2005-A-0019.

IV. TECHNICAL REVIEW PRIORITY AND BASIS: Low

Based on the above safety significance.

V. ACTIONS:

A. PROPOSED INVESTIGATIONS, PRIORITY LEVEL: No

The issues identified did not appear to violate NRC requirements for security at research reactors.

B. REFERRAL: No

C. PROPOSED INSPECTIONS AND DUE DATES: No

D. OTHER ACTIONS: Yes

As a result of allegation NRR-2005-A-0019, the Research and Test Reactor Section (RTRS) coordinated their proposed actions with OI, DIPM, OPA and OGC. For Ohio State University, RTRS performed a review of security plans, and relevant documents. Their review did not identify any violations of the approved security plan. Due Date: Completed.

RTRS assessment states: There is no requirement in the Physical Security Plan or commitment in the Compensatory Measures (CMs) to check the background of escorted visitors. There are no requirements for searching bags or restrictions on cameras, and the bags were left behind at the entrance to the facility. The identification cards were asked of both individuals. Such visits are allowed by the Ohio State University security plan and procedures and CMs.

Staff plans to review the ABC show to determine if additional issues are identified. Any new issues will be brought to the ARB.

Further, the staff will request complete unedited tapes of the interns' visits to Ohio State University from ABC. ABC has verbally agreed to release the tapes following airing of the show. If the tapes identify new issues, staff will return to the ARB.

If the show and unedited tapes do not identify any further information, the staff will close the allegation.

VI. NON-NRR ISSUES (OGC, OE, NMSS, REGION, ETC.): None

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ALLEGATION REVIEW BOARD SECTION

ARB DECISION (and comments):

The ARB agreed with the safety significance, technical review priority, and proposed resolution plan.

ARB CHAIRMAN:	M. Case
ARB MEMBER:	E. Hackett
ALLEGATION COORDINATOR:	G. Cwalina
ALLEGATION COORDINATOR:	J. Petrosino
ALLEGATION ASSISTANT:	J. Crutchley
OI REPRESENTATIVE:	K. Monroe
OE REPRESENTATIVE:	N/A
OGC REPRESENTATIVE:	G. Longo
IPSB LEAD REVIEWER:	V. Hall
TECHNICAL BRANCH LEAD REVIEWER:	M. Mendonca
RECORDING SECRETARY:	K. Richards
ADDITIONAL PARTICIPANTS:	R. Barnes, A. Adams, E. Brenner, B. Thomas
	<u>NRR PM Candidates:</u> J. Jennings, J. Ortega-Luciano, S. Andersen, T. Beltz, A. Muñiz, N. Morgan

DISTRIBUTION:

B. Sheron, NRR
B. Jones, OGC
G. Caputo, OI

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